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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,965	01/29/2004	Thomas J. Daley	04-6175	4387
63710 7590 06/07/2010 INNOVATION DIVISION CANTOR FITZGERALD, L.P. 110 EAST 59TH STREET (6TH FLOOR) NEW YORK, NY 10022				
EXAMINER VIZVARY, GERALD C				
ART UNIT		PAPER NUMBER		
3684				
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06/07/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* THOMAS J. DALEY, PAVAN K. GARAPATI,  
PHIL G. REEVES, and MARK E. STUTZMANN

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Appeal 2010-007115  
Application 10/766,965  
Technology Center 3600

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Before DALE M. SHAW, *Division 2 Support Administrator*.

ORDER DISMISSING APPEAL

On May 21, 2009, Appellants filed a Notice of Appeal. On June 1, 2010, Appellants filed a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. The RCE will be treated as a request to withdraw the appeal.

Accordingly, the appeal in this application is dismissed.

The application is being returned to the Examiner for further action as may be appropriate.

Appeal 2010-007115  
Application 10/776,965

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/mls

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